

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**ALI S. KHOSHNAW and HALIMA H.
KHOSHNAW,**

Civil Case No. CV 07-1315-AS

Petitioner,

Agency # A 76 200 564

76 200 565

vs.

Department of Justice, **MICHAEL B.
MUKASEY**, United States Attorney General;
Federal Bureau of Investigation, **ROBERT S.
MUELLER III**, Director and **MICHAEL A.
CANNON** Chief, National Name Check
Program; Department of Homeland Security,
MICHAEL CHERTOFF, Secretary; and
United States Citizenship and Immigration
Services, **WILLIAM McNAMEE**, Portland
District Director and **EMILIO GONZALEZ**,
Director,

**ORDER OF REMAND WITH
INSTRUCTIONS**

Respondents.

Based on the joint motion of the parties and the files and records in the case, it is
HEREBY ORDERED AND ADJUDGED as follows.

1. This matter shall be remanded to the USCIS Respondents with instructions to adjudicate
Petitioner's Application for Naturalization, Immigration Form N-400, and, if the application is
approved, swear in Petitioner as a citizen of the United States within 60 days of the date of the
order of remand.

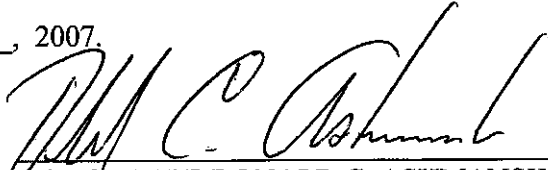
2. If, for whatever reason, Petitioner's Application for Naturalization, Immigration Form N-
400, is not adjudicated within 60 days from the date of the order of remand, this Court shall

retain jurisdiction to review the matter.

3. All parties waive their rights to appeal this order of remand.

4. This order of remand shall be without prejudice to the right of Petitioner to apply for attorney fees and costs under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and related sections, against the Respondents.

Dated this 7 day of December, 2007.


HONORABLE DONALD C. ASHMANSKAS
United States Magistrate Judge